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Trustee for the SIPA Liquidation of Lehman Brothers Inc.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*,  
Debtors.

SECURITIES INVESTOR PROTECTION  
CORPORATION,  
Plaintiff,  
v.

LEHMAN BROTHERS INC.,  
Debtor.

FRIEDMMAN, BILLINGS, RAMSEY  
GROUP, INC.  
Plaintiff,  
v.

SECURITIES INVESTOR PROTECTION CORP.,  
JAMES W. GIDDENS, TRUSTEE FOR LEHMAN  
BROTHERS INC., AND LEHMAN BROTHERS  
INC.,  
Defendants.

Chapter 11

Case No. 08-13555 (JMP)

(Jointly Administered)

Adv. No. 08-01420 (JMP)

SIPA Liquidation Proceeding

Adv. No. 08-01587 (JMP)

**NOTICE OF SECOND AMENDED AGENDA OF MATTERS IN SIPA  
LIQUIDATION AND RELATED ADVERSARY PROCEEDING SCHEDULED  
FOR HEARING ON OCTOBER 2, 2008 AT 3:00 P.M.**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton U.S. Custom House, before the Honorable, James  
M. Peck, United States Bankruptcy Judge, Lower Level Auditorium,  
One Bowling Green, New York, NY 10004-1408

**I. CONTESTED MATTERS IN SIPA LIQUIDATION PROCEEDING:**

1. Trustee's Motion to Adopt and Incorporate by Reference for Purposes of This Proceeding, an Order Establishing Procedures for Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Estate Property and Abandonment of Related Personal Property, as Entered in the Lehman Brothers Holdings Inc., et al. Chapter 11 Proceedings [**Docket No. 28**]

Response Deadline: October 2, 2008 at 2:00 p.m.

Responses Received:

- A. Objection to Motion on behalf of Hanover Moving & Storage Co. Inc. [**Case No. 08-013555 (JMP)**] [**Docket No. 414**]
- B. Limited Objection of the Informal Noteholder Group Regarding the Debtors' Motion Pursuant to Sections 105, 365, and 554(a) of the Bankruptcy Code to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Related Personal Property [**Case No. 08-013555 (JMP)**] [**Docket No. 485**]
- C. Objection of IKON Office Solutions, Inc. and GE Capital Information Technology Solutions, Inc. d/b/a IKON Financial Services to Debtors' Motion Pursuant to Sections 105, 365 and 554(a) of the Bankruptcy Code to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Related Personal Property [**Case No. 08-013555 (JMP)**] [**Docket No. 491**]

Related Filings:

- A. Order to Show Cause Signed on 9/29/2008 Fixing a Hearing Date to Consider the Motion Filed by the Trustee to Adopt and Incorporate by Reference an Order Establishing Procedures for Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Estate Property and Abandonment of Related Personal Property, as Entered in the Chapter 11 Proceedings [**Docket No. 30**]

- B. Debtors' Motion Pursuant to Sections 105, 365, and 554(a) of the Bankruptcy Code to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Related Personal Property [**Case No. 08-013555 (JMP)**] [**Docket No. 376**]
- C. Declaration of Shai Y. Waisman in Support of Order to Show Cause Scheduling a Hearing to Consider Debtors' Motion Pursuant to Sections 105, 365, and 554(a) of the Bankruptcy Code to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Related Personal Property [**Case No. 08-013555 (JMP)**] [**Docket No. 378**]
- D. Order to Show Cause Signed on 9/26/2008 Fixing Hearing Date to Consider the Motion Filed by the Debtors to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Related Personal Property [**Case No. 08-013555 (JMP)**] [**Docket No. 380**]
- E. Joinder in Debtors' Motion Pursuant to Sections 105, 365, and 554(a) of the Bankruptcy Code to Establish Procedures for the Assumption and Assignment or Rejection of Executory Contracts and Unexpired Leases of Personal and Non-Residential Real Property and Abandonment of Real Property Filed by James W. Giddens, as Trustee of for the SIPA Liquidation of Lehman Brothers Inc. [**Case No. 08-013555 (JMP)**] [**Docket No. 388**]

Status: The hearing on this motion will be proceeding.

## **II. ADVERSARY PROCEEDINGS:**

*Friedman, Billings, Ramsey Group, Inc. v. Securities Investor Protection Corporation, James W. Giddens, Trustee for the SIPA Liquidation of Lehman Brothers, Inc., and Lehman Brothers, Inc., No. 08-01587 (JMP)*

- 1. Emergency Motion of Friedman, Billings, Ramsey Group, Inc. for a Temporary Restraining Order, Preliminary Injunction and Declaratory Relief and Memorandum of Law in Support of Emergency Motion [**Case No. 08-01587 (JMP)**] [**Docket No. 4**]

Response Deadline: October 2, 2008 at 1:00 p.m.

Responses Received:

- A. Securities Investor Protection Corporation's Motion to Dismiss [Case No. 08-01587 (JMP)] [Docket No. 11]
- B. Securities Investor Protection Corporation's Memorandum in Support of its Motion to Dismiss [Case No. 08-01587 (JMP)] [Docket No. 12]
- C. Trustee's Opposition to Emergency Motion of Friedman Billings, Ramsey Group, Inc. for a Temporary Restraining Order and Other Relief; and (ii) the Affidavit in Opposition to Emergency Motion of Friedman, Billings, Ramsey Group, Inc. [Case No. 08-01587 (JMP)] [Docket No. 15] [recently filed]

Related Filings:

- D. Order to Show Cause Signed on 9/29/2008 Fixing Hearing and Objection Deadline to Consider the Emergency Motion of Friedman, Billings, Ramsey Group, Inc. for a Temporary Restraining Order [Case No. 08-01587 (JMP)] [Docket No. 9]
- E. Declaration of J.R. Smith Pursuant to Local Bankruptcy Rule 9077-1(a) [Case No. 08-01587 (JMP)] [Docket No. 5]

Status: The hearing on this motion will be proceeding.

Dated: October 2, 2008  
New York, New York

HUGHES HUBBARD & REED LLP

By: /s/ Jeffrey S. Margolin

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